

Message Text

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ORIGIN EA-14

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TO USLO PEKING IMMEDIATE

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TAGS: CVIS, CH, US

SUBJECT: NIV'S FOR PRC NATIONALS (INCLUDING COURIERS)

REFS: A) STATE 015970; B) STATE 038141; C) STATE 097597;

D) STATE 106441; E) STATE'S A-1312, 2/19/74;

F) PEKING 852; G) PEKING 829; H) PEKING 913

I) PEKING 952

1. RE PARAS 27 AND 32 PEKING'S 852, US VISA FEES AND VALIDITIES ARE BY LAW BASED ON RECIPROCITY AND PURPOSE OF VISIT, NOT RPT NOT ON TYPE OF PASSPORT. AS STATED BY DEPTOFFS DURING MEETING HERE WITH PRCLO REPRESENTATIVES ON QUESTION OF VISA FEES IN EARLY MARCH (REFTEL B), WE WOULD WELCOME MUTUAL MEASURES TO REDUCE OR ELIMINATE VISA FEES ON RECIPROCAL BASIS. PRCLO REPRESENTATIVES WERE AT THAT TIME PROVIDED WITH COPIES OF SCHEDULE OF FEES ATTACHED TO REF E.

2. RE PARA 31 REFTTEL F, DEPARTMENT SUGGESTS THAT USLO
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CONSULT VISA MANUAL (9 FAM) AND REF E FOR GUIDANCE IN

PREPARING TALKING POINTS FOR MFA ON US VISA CATEGORIES AND PROCEDURES. ONLY CHANGE IN REF E IS THAT PRC COURIERS WILL HENCEFORTH BE ISSUED B-1 DIPLOMATIC VISAS AS PER REFTEL C RATHER THAN "G" VISAS. PRESENTATION SHOULD OF COURSE OMIT CATEGORIES (E.G., "A" VISAS) WHICH ARE NOT NOW AVAILABLE TO PRC NATIONALS. DEPARTMENT WOULD BE GLAD TO

REVIEW YOUR DRAFT TALKING POINTS IF YOU FEEL THIS WOULD BE USEFUL.

3. RE PARAS 19, 20, 25 AND 26 OF REFTEL F, NOTE THAT 22 CFR 41.30 NOTE 1 PROVIDES SOME LATITUDE IN INTERPRETATION OF WHAT CONSTITUTES "IMMEDIATE" TRANSIT. THIS INTERPRETATION APPLIES TO BOTH C-1 AND C-3 (FOREIGN GOVERNMENT OFFICIALS ETC., SEE 22 CFR 41.12) VISAS. MEMBERS OF PRC OFFICIAL DELEGATIONS QUALIFY FOR C-3 VISAS.

THE PROVISIONAL SCHEDULE FOR PRC PROVIDES NO RPT NO FEE FOR C-3 VISAS. HAD HSIA'S (REFTEL G) PRINCIPAL PURPOSE OF ENTRY INTO US BEEN FOR TRANSIT, AND TRAVEL TO WASHINGTON INVOLVED NO MORE THAN PICKING UP COMPANIONS FOR ONWARD TRAVEL (NO CONSULTATIONS WITH PRCLC ETC.), HE COULD HAVE BEEN CLASSIFIED AS C-3, NO FEE. WHETHER HSIA WOULD BE ENTITLED TO "DIPLOMATIC" OR "OFFICIAL" STAMP IN C-3 WOULD BE DETERMINED IN ACCORDANCE WITH PROVISIONS OF 22 CFR 41.102 AND 22 CFR 41.104. (TRAVEL PRINCIPALLY FOR CONSULTATIONS WITH PRCLC WOULD BE UNDER "DIPLOMATIC B-1" WITH LENGTH OF STAY LIMITED AS APPROPRIATE.)

4. IN VIEW USLO COMMENT (PARA 14 REF F) THAT THERE IS SERIOUS QUESTION WHETHER PRC "TRAVEL PERMIT" (TUNGHSINGCHENG) SHOULD BE CONSIDERED VALID TRAVEL DOCUMENT, IF LIN DOES NOT RPT NOT COMMENT ON NEED FOR RE-ENTRY VISAS IN TRAVEL PERMITS, REQUEST YOU ASK HIM FOR SPECIFIC INFORMATION IN THAT REGARD.

5. IN THE MEANTIME, AND UNTIL LIN PROVIDES DETAILED INFORMATION, DEPARTMENT PREFERS TO MAINTAIN CURRENT CRITERIA AND PROCEDURES OUTLINED PAGE 5 REF E REGARDING LIMITED OFFICIAL USE

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PRC TRAVEL DOCUMENTS (BOTH PASSPORTS AND TRAVEL PERMITS).

6. CONCERNING MFA QUESTIONS ABOUT CHANGE TO DIPLOMATIC B-1 VISAS FOR PRC COURIERS, USLO SHOULD REPLY "G" VISAS ARE ISSUED ONLY TO COURIERS THAT SERVICE UN HEADQUARTERS NEW YORK EXCLUSIVELY; SINCE PRC COURIERS ALSO SERVICE PRCLC, "G" VISAS ARE NOT APPROPRIATE. OUR

STANDARD PROCEDURE WITH COURIERS TRAVELING TO WASHINGTON
IS TO ISSUE SAME TYPE VISA ISSUED TO DIPLOMATS ASSIGNED
TO THE OFFICIAL WASHINGTON MISSION OF COURIER'S COUNTRY,
IN THIS CASE DIPLOMATIC B-1. USLO SHOULD ALSO REMIND MFA
THAT DIPLOMATIC B-1 VISAS CARRY FULL "DIPLOMATIC" STATUS
WITH ALL ATTENDANT PRIVILEGES AND IMMUNITIES.
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